

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

RICHARD D. ROBERTS, JR.,

Plaintiff,

v.

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

Defendant.

NO. CV-08-080-CI

**JUDGMENT IN A  
CIVIL CASE**

**DECISION BY THE COURT:**

This action came to hearing before the Court. The issues have been heard and a decision has been rendered.

**IT IS ORDERED AND ADJUDGED** that:

The Report and Recommendation is **ADOPTED**. Plaintiff's Motion for Summary Judgment is **DENIED**; Defendant's Motion for Summary Judgment dismissal is **GRANTED**. Judgment is entered for Defendant.

DATED this 16<sup>th</sup> day of April, 2009.

JAMES R. LARSEN  
District Court Executive/Clerk

s/ L. Stejskal  
Deputy Clerk